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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

MAR 30 2023

HURDSMAN  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY PLAINTIFF DEPUTY

V.  
GLEASON, et al.,  
DEFENDANTS.

CASE NO. A-22-CV- **FILED**

MAR 30 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY CLERK

MOTION TO COMPEL PRODUCTION PURSUANT TO SERVED SUBPOENA REQUESTS

COMES NOW, Rodney A. Hurdsmann, Plaintiff pro se in the above-styled and numbered cause, and moves this Court for an Order to compel Wise County District Attorney James Stanton, and Attorney Raymond S. Napolitan, to produce documents, information or objects they were commanded to, after being properly served Subpoenas issued by the Clerk of the Court, by Order of the Court, of which they ignored and/or failed to comply with, and states to this Honorable Court the following:

1. Plaintiff motioned this Court to have two subpoenas issued for the production of documents, information or objects relevant to Plaintiff's claims. The Court granted Plaintiff's motion, and the Clerk issued subpoenas directed to Wise County D.A., James Stanton, and attorney Raymond S. Napolitan, respectively.
2. The James Stanton subpoena was properly served on him at his office located at 101 North Trinity Street, Suite 200, Decatur, Texas, by the Plaintiff's parents Rodney M. and Valentina Hurdsmann in early 2022.

The subpoena served on Mr. Stanton commanded him to produce the file, and all electronically stored data, in case numbers CR17817 CR17819 CR17821, and 17693, from the prosecutor's office. Although the County Clerk produced the "Clerk's Record" in the cases, James Stanton ignored the subpoena, and failed to produce the prosecutor's office file and electronically stored data concerning the cases. Plaintiff wrote two separate letters in late 2022, and early 2023, to Mr. Stanton, informing him of his responsibilities concerning a federal subpoena, notifying him of his deficient performance, and requesting him to forthwith comply with the subpoena served on upon him. Both of these letters were ignored; nor did Mr. Stanton respond to either of them in writing or otherwise.

3. The Raymond Napolitan subpoena was properly served upon him at his office located at 916 W. Belknap Street, Fort Worth, Texas, by the Plaintiff's parents Rodney M. and Valentina Hurdman in early 2022. The subpoena served on Mr. Napolitan commanded him to produce the complete client-file made during his representation of the Plaintiff in 2014, for the law firm of Jim Shaw & Associates, including all stored computer data, such as audio or video. Mr. Napolitan entirely ignored the subpoena, and failed to produce said material. Thereafter, Plaintiff wrote two separate letters to Mr. Napolitan, informing him of his legal responsibilities concerning the federal subpoena, notifying him of his deficient performance, and requesting that he immediately comply with the subpoena that was properly served on him in early 2022. Plaintiff sent these letters in late 2022, and early 2023, and received no response.

4.

DECLARATION

I, Rodney A. Hurdsmen, hereby declare and certify pursuant to 28 U.S.C. § 1746, and under the penalty of perjury, that I have read the aforesaid document, Plaintiff's Motion To compel Production Pursuant To SERVED SUBPOENA REQUESTS, and the matters and statements therein are true and correct.

Rodney A. Hurdsmen

Declarant

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court grant this motion, and Order the Clerk of the Court to send a copy of an Order commanding Mr. Stanton and Mr. Napolitan to immediately comply fully with the subpoenas that were issued and served upon them under the seal of this Court, within a certain time, or face sanctions by the Court.

Respectfully submitted,

by: Rodney A. Hurdsmen

Plaintiff Pro Se

Rodney A Hurdsmen # 2170782

TDCJ- Robertson Unit

12071 F.M. 3522

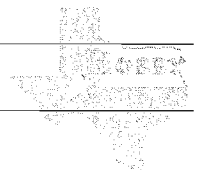
Abilene, TX 79601

3.

Dear Clerk,

Please file this Motion in Case No. A-22-254-RP  
Hudson v. Gleason, et al..

Thank You.



Rodney A. Hurdsmann # 2170782  
TDCJ- Robertson Unit  
12071 F.M. 3522  
Abilene, Texas 79601

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MAR 30 2023

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Clerk, U.S. District Court  
Western District of Texas  
501 West 5th Street, Suite 1100  
Austin, Texas 78701

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